

Resolution of Intent to Enact County Obscenity Ordinance

WHEREAS, pursuant to Section 45-8-201(5) of the Montana Code Annotated, a board of county commissioners has the authority to enact a county obscenity ordinance. Pursuant to Section 7-5-132 of the Montana Code Annotated, a board of county commissioners has the authority to submit a proposed ordinance to a referendum by the voters.

WHEREAS, the Citizens Against Sexual Exploitation has drafted a proposed Yellowstone County obscenity ordinance and has requested the Yellowstone County Board of County Commissioners to enact the proposed ordinance. The Board believes that it may be in the best interest of the public to enact the proposed ordinance. To ensure that the public supports the proposed ordinance, the Board may enact it subject to a majority of the voters approving it in a referendum to be held as a special election in conjunction with the June 6, 2006 primary election.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners may enact a Yellowstone County obscenity ordinance. On February 28, 2006 and March 22, 2006, at 10:00 a.m., in Room 403A of the Yellowstone County Courthouse in Billings, Montana, the Board will hold public hearings and meetings to consider whether to enact the proposed ordinance. The Board will read the proposed ordinance, receive public comments on it and vote whether to enact it at both meetings. The Board orders the Yellowstone County Clerk and Recorder to: (1) post and publish notice of the hearings and meetings and (2) make copies of the proposed ordinance available to the public.

Passed and Adopted on the 17th day of February 2006.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chairman

Bill Kennedy, Member

James E. Reno, Member

ATTEST:

Tony Nave, Clerk and Recorder
Yellowstone County, Montana

Attached as Exhibit 1 is a copy of the Proposed Ordinance.

Attached as Exhibit 2 is a copy of the Proposed Ballot.